



FEDERAL VOTING ASSISTANCE PROGRAM

DEPARTMENT OF DEFENSE
WASHINGTON, DC 20301-1155

January 12, 2007

The Honorable Michael Mauro
Secretary of State
Office of the Secretary of State
Lucas Building, 1st Floor
321 E 12th Street
Des Moines, IA 50319

Dear Secretary Mauro,

I would like to thank you and Governor Culver for the work you have done over the past several years to promote and support the legislative initiatives the Federal Voting Assistance Program (FVAP) has recommended. The 2006 elections pointed out the importance of the states enacting these legislative initiatives. In particular, the provision of 45 or more days for ballot transit; electronic transmission of Federal Post Card Applications, blank ballots, and voted ballots; and, authorization for the state chief election official to implement emergency measures. States with these provisions were able to support a greater number of situations faced by our brave men and women serving in combat areas such as Iraq and Afghanistan, and other U.S. citizens worldwide. I would ask you also to consider alternative methods that these citizens could use to request their absentee ballots such as phone or email, and utilizing digital signatures with electronically transmitted materials.

After reviewing Iowa's existing election code and procedures, I have identified three initiatives that the Iowa legislature might consider during the upcoming legislative session. These initiatives are discussed in detail with suggested wording in the enclosed legislative initiatives document. If these initiatives are enacted and signed into law, they would significantly help to facilitate the absentee voting process for Iowa's citizens covered by the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*. Information available to FVAP indicates that there are 8,715 Uniformed Services members, 6,536 family members and approximately 40,225 overseas citizens that claim Iowa as their voting residence.

As you review the enclosed initiatives for possible inclusion in Iowa's 2007 legislative agenda, please do not hesitate to contact us for assistance. We can provide legislative wording that other states have enacted to implement similar measures and provide written or in-person testimony, if desired. We have come a long way in simplifying the absentee voting process since the enactment of the *UOCAVA*—let's continue our joint efforts to achieve the simplest possible absentee voting process while maintaining its integrity.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Wiedmann", is written over a horizontal line.

Scott Wiedmann
Deputy Director

Enclosure:
2007 Legislative Initiatives and Suggested Wording

Iowa 2007 Legislative Initiatives and Sample Language

Electronic Transmission of Election Materials

Since the 1990 general election electronic transmission has proven to be a valuable alternative method for facilitating the enfranchisement of military persons and overseas citizens serving their country who may have otherwise been unable to vote. This initiative has helped ensure these citizens were not disenfranchised by allowing them to cast a ballot when they would not otherwise have been able to vote due to time and location constraints.

Throughout an election year cycle, various circumstances exist that require the need for this alternative procedure in order for citizens to vote. The basic concept of electronic transmission of election materials is to secure high-speed delivery of election materials to and from the voter and local election officials. Your support in developing the **acceptance of electronic transmission for all aspects of the process**, with proper controls, would cut the ballot transit time at least in half. This would reduce the major obstacle to voting absentee and allow local election officials more administrative flexibility in preparing election materials.

Consideration should be given to expand the use of modern technology in the absentee voting process. We realize Iowa enacted legislation to provide for electronic transmission of the Federal Post Card Application request for registration and an absentee ballot. We encourage expanded use of this alternative to include electronically sending the ballot to the voter and accepting the voted ballot from the voter where circumstances would otherwise disenfranchise a citizen. The following sample language would allow for these procedures.

Sample Language

An applicant who is a member of the United States Uniformed Services or the United States merchant marine, a family member, or is a qualified elector living outside the United States, may apply for registration and an absentee ballot by electronic transmission if otherwise qualified to apply for and vote by absentee ballot. An auditor or clerk may send and receive absentee ballot applications and accept voted ballots from eligible electors via electronic transmission.

Late Registration Procedures

We understand Iowa currently allows discharged military personnel to register late. **We encourage expanding this option to their family members and overseas citizens who may go through a transition period when they first leave the Uniformed Services or**

overseas employment and may reside in your state just prior to an election. Often, the date of discharge or termination of overseas employment and a state's registration requirement combine to disenfranchise a citizen returning home after active duty or employment abroad. Special procedures to allow these persons to register and vote would solve this problem. Twenty-six states currently allow such procedures.

Sample Language

An individual, or accompanying family member who has been discharged or separated from the Uniformed Services, the merchant marine, or from employment outside the territorial limits of the United States, too late to enable him or her to register by the regular state deadline for registration, shall be entitled to register for the purpose of voting at the next ensuing election after such discharge, separation, or termination of employment.

Acceptance of a Signature and Date on Ballot as Evidence of Time of Completion

We recommend that Iowa **accept the signature and date on a ballot envelope as evidence of the time the ballot was completed by a uniformed service or overseas voter in lieu of a postmark.** Although UOCAVA voters may have voted and mailed their ballot in a timely manner, the ballot envelope may not have been postmarked on that date. By signing and dating the ballot the voter, under penalty of perjury, is certifying that their ballot was voted prior to the close of polls on election day.

Sample Language

If the voter is residing outside the United States, or is a member of the United States Uniformed Services, merchant marine, or a family member, and a qualified elector, the ballot shall be counted if it is signed and dated by the voter prior to the close of polls on election day and received by the absentee ballot deadline.